

## **MINUTES**

### **MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** Chair Llew Jones, on March 29, 2017 at 8:00 AM, in Room 317 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Llew Jones, Chair (R)  
Sen. Frederick (Eric) Moore, Vice Chair (R)  
Sen. Duane Ankney (R)  
Sen. Mary Caferro (D)  
Sen. Terry Gauthier (R)  
Sen. David Howard (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Bob Keenan (R)  
Sen. Mike Lang (R)  
Sen. Mary McNally (D)  
Sen. Albert Olszewski (R)  
Sen. Ryan Osmundson (R)  
Sen. Mike Phillips (D)  
Sen. Jon C. Sesso (D)  
Sen. Cary Smith (R)  
Sen. Jeffrey W. Welborn (R)  
Sen. Lea Whitford (D)  
Sen. Cynthia Wolken (D)

**Members Excused:** None

**Members Absent:** None

**Staff Present:** Prudence Gildroy, Committee Secretary  
Julie Johnson, Legislative Branch  
Kris Wilkinson, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 363, 3/28, 2017; SB 156, 3/8/2017; SB 376, 3/27/2017; SB 366, 3/28/2017; SB 345, 3/28/2017; SB 346, 3/27/2017; SB 347, 3/27/2017

Executive Action: SB 156 Be Tabled; SB 345 Do Pass; SB 346 Do Pass; SB 347 Be Tabled; SB 363 Do Pass; SB 366 Do Pass; SB 376 Do Pass

**HEARING ON SB 363**

**Opening Statement by Sponsor:**

00:01:49 Sen. Chas Vincent (R), SD 1, opened the hearing on SB 363, Generally revise aquatic invasive species.

**Proponents' Testimony:**

00:06:06 Colin Cooney, Trout Unlimited

**Opponents' Testimony:**

00:06:44 Krista Lee Evans, Senior Water Rights Coalition, Association of Gallatin  
Agricultural Irrigators  
00:08:21 Sen. Sesso joined the meeting.  
00:08:25 Will Rosquist, Public Service Commission  
00:09:34 Chelcie Cargill, Montana Farm Bureau Federation  
00:10:29 Sen. Caferro joined the meeting.  
00:10:39 Gary Wiens, Montana Electric Cooperatives' Association (MECA)  
00:11:16 Kori Anderson, Montan Stockgrowers Association  
00:11:51 Bob Gilbert, Walleyes Unlimited Montana

**Informational Testimony:**

00:13:39 Aaron McNay, Department of Revenue

**Questions from Committee Members and Responses:**

00:13:57 Sen. McNally  
00:14:17 Mr. Wiens, MECA  
00:14:21 Sen. Lang  
00:14:46 Sen. Vincent  
00:15:48 Sen. Lang  
00:16:17 Sen. Vincent  
00:16:26 Sen. Phillips  
00:17:18 Sen. Vincent  
00:17:40 Sen. Phillips  
00:17:55 Sen. Vincent  
00:20:15 Sen. Whitford  
00:20:51 Sen. Vincent  
00:21:04 Sen. Moore left the meeting.  
00:21:43 Sen. Whitford  
00:21:54 Sen. Vincent  
00:23:10 Sen. Whitford  
00:23:30 Chair Jones  
00:24:02 Sen. Lang  
00:24:22 Sen. Vincent  
00:25:18 Sen. Lang

00:25:37 Sen. Sesso  
00:26:10 Sen. Vincent  
00:27:36 Sen. Sesso  
00:27:40 Sen. Moore joined the meeting.  
00:28:20 Sen. Vincent  
00:29:10 Sen. Howard  
00:29:39 Sen. Vincent  
00:30:32 Sen. Welborn  
00:31:13 Sen. Vincent

**Closing by Sponsor:**

00:31:48 Sen. Vincent

**HEARING ON SB 156**

**Opening Statement by Sponsor:**

00:32:24 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 156, Provide for Montana earned income tax credit.

00:34:14 Chair Jones

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

00:34:19 Sen. Cohenour

**HEARING ON SB 376**

**Opening Statement by Sponsor:**

00:35:06 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 376, Revise lodging facility use tax to construct MHC.

**Proponents' Testimony:**

00:37:36 Bruce Whittenberg, director, Montana Historical Society (MHS)

[\*\*EXHIBIT\(fcs65a01\)\*\*](#)

[\*\*EXHIBIT\(fcs65a02\)\*\*](#)

00:41:32 Mike Cooney, lieutenant governor, Office of the Governor (GOV)

00:44:50 Cathy Burwell, president and CEO, Helena Chamber of Commerce

00:46:04 Crystal Shors, trustee, MHS  
 00:46:49 Ed Jasmin, trustee, MHS  
 00:49:21 Jim Utterback, trustee, MHS  
 00:50:13 Eric Feaver, MEA-MFT  
 00:50:37 Chere Jiusto, executive director, Montana Preservation Alliance  
 00:54:07 Cary Hegreberg, executive director, Montana Contractors Association (MCA)  
 00:55:07 Brian Obert, economic development operator, Montana Business Assistance Connection  
 00:57:00 Denise King, administrator, MHS  
[EXHIBIT\(fcs65a03\)](#)  
[EXHIBIT\(fcs65a04\)](#)

**Opponents' Testimony:**

01:00:05 Stuart Doggett, Montana Lodging and Hospitality Association (MLHA)  
 01:04:49 Steve Warlich, chair, MLHA  
 01:10:26 Wiley Barker, Crowley Fleck Law Firm (CFL)  
[EXHIBIT\(fcs65a05\)](#)  
[EXHIBIT\(fcs65a06\)](#)

**Informational Testimony:**

01:15:28 Tom Reilly, State Parks administrator, Fish, Wildlife and Parks (FWP)  
 01:15:58 Jennifer Olson, Department of Commerce (COM)

**Questions from Committee Members and Responses:**

01:16:25 Sen. Moore  
 01:16:53 Mr. Doggett, MLHA  
 01:18:04 Sen. Moore  
 01:18:32 Mr. Doggett  
 01:19:56 Sen. Moore  
 01:20:32 Mr. Whittenberg, MHS  
 01:21:17 Sen. Phillips  
 01:21:35 Sen. Cohenour  
 01:22:27 Sen. Caferro  
 01:22:47 Mr. Cooney, GOV  
 01:24:10 Sen. Caferro  
 01:24:50 Gene Walborn, Department of Revenue (DOR)  
 01:24:44 Chair Jones left the meeting and Sen. Moore assumed the duties of Chair.  
 01:27:48 Sen. Caferro  
 01:28:11 Mr. Walborn, DOR  
 01:28:47 Sen. Caferro  
 01:29:29 Sen. Cohenour  
 01:29:46 Mr. Whittenberg  
 01:30:55 Sen. Caferro  
 01:31:11 Mr. Whittenberg  
 01:31:26 Sen. Olszewski  
 01:31:57 Mr. Whittenberg  
 01:33:17 Sen. Olszewski

01:33:27 Mr. Whittenberg  
01:33:33 Sen. Keenan  
01:34:05 Mr. Doggett  
01:34:21 Sen. Keenan  
01:34:28 Mr. Doggett  
01:34:38 Sen. Welborn  
01:35:24 Mr. Hegreberg, MCA  
01:35:58 Sen. Welborn  
01:36:16 Mr. Hegreberg  
01:36:41 Sen. Whitford  
01:37:14 Sen. Cohenour  
01:39:36 Sen. Whitford  
01:39:58 Sen. Cohenour  
01:40:46 Sen. Whitford  
01:40:53 Chair Moore  
01:41:21 Sen. Whitford  
01:42:07 Ms. King, MHS  
01:43:12 Sen. Whitford  
01:43:24 Ms. King  
01:44:13 Chair Moore  
01:44:56 Mr. Barker, CFL  
01:45:45 Chair Moore  
01:45:59 Mr. Barker

**Closing by Sponsor:**

01:46:08 Sen. Cohenour  
  
01:47:59 Recess  
02:01:36 Reconvene

**HEARING ON SB 366**

**Opening Statement by Sponsor:**

02:01:47 Sen. Jill Cohenour (D), SD 42, opened the hearing on SB 366, Generally revise driver's license and state identification laws.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

**Informational Testimony:**

02:05:17 Sarah Garcia, Department of Justice

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:06:11 Sen. Cohenour

**HEARING ON SB 345**

**Opening Statement by Sponsor:**

02:07:11 Sen. Cary Smith (R), SD 27, opened the hearing on SB 345, Provide for high deductible health insurance thru reimbursements and tax credits.

**Proponents' Testimony:**

02:09:01 Kendall Cotton, Office of the Montana State Auditor, Commissioner of Securities and Insurance

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:09:51 Sen. Smith

**HEARING ON SB 346**

**Opening Statement by Sponsor:**

02:10:47 Sen. Terry Gauthier (R), SD 40, opened the hearing on SB 346, Establish the small business retirement program.

**Proponents' Testimony:**

02:12:15 Jackie Boyle, AARP Montana  
[EXHIBIT\(fcs65a07\)](#)

**Opponents' Testimony:**

02:17:35 Jon Metropoulos, American Council of Life Insurers  
02:18:41 Riley Johnson, National Federation of Independent Business

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:21:32 Sen. McNally  
02:21:52 Sen. Gauthier

**Closing by Sponsor:**

02:25:24 Sen. Gauthier

**HEARING ON SB 347**

**Opening Statement by Sponsor:**

02:25:26 Sen. Jedediah Hinkle (R), SD 32, opened the hearing on SB 347, Revise business related travel expense deductions.

**Proponents' Testimony:** None

**Opponents' Testimony:** None

02:30:06 Gene Walborn, Department of Revenue

**Informational Testimony:** None

**Questions from Committee Members and Responses:** None

**Closing by Sponsor:**

02:31:57 Sen. Hinkle

02:33:05 Chair Moore

02:33:33 Recess

03:00:00 Reconvene

Sen. Jones joined the meeting and assumed the duties of Chair.

**EXECUTIVE ACTION ON SB 156**

03:00:44 **Motion/Vote:** Sen. Moore moved that **SB 156 BE TABLED**. Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 345**

03:01:07 **Motion:** Sen. Moore moved that **SB 345 DO PASS**.

**Discussion:**

03:01:12 Sen. Smith

03:01:52 **Vote:** Motion carried unanimously by voice vote.

**EXECUTIVE ACTION ON SB 346**

03:02:11 **Motion:** Sen. Moore moved that **SB 346 DO PASS**.

**Discussion:**

03:02:18 Sen. Gauthier  
03:02:24 Sen. McNally  
03:02:43 Sen. Ankney  
03:03:08 Chair Jones  
03:03:14 Sen. Gauthier  
03:03:27 Sen. Welborn

03:03:53 **Vote:** Motion carried 16-2 by roll call vote with Sen. Howard and Sen. Osmundson voting no.

**EXECUTIVE ACTION ON SB 347**

03:04:37 **Motion/Vote:** Sen. Moore moved that **SB 347 DO PASS**. Motion failed 2-16 by roll call vote with Sen. Keenan and Sen. Olszewski voting aye.

03:05:32 **Motion/Vote:** Sen. Moore moved that **SB 347 BE TABLED AND THE VOTE REVERSED**. Motion carried 16-2 by voice vote with Sen. Keenan and Sen. Olszewski voting no.

**EXECUTIVE ACTION ON SB 363**

03:05:51 **Motion:** Sen. Moore moved that **SB 363 DO PASS**.

**Discussion:**

03:06:03 Sen. Moore

03:06:15 **Vote:** Motion carried 17-1 by voice vote with Sen. Welborn voting no.

**EXECUTIVE ACTION ON SB 366**

03:06:35 **Motion:** Sen. Moore moved that **SB 366 DO PASS**.

**Discussion:**

03:06:54 Sen. Olszewski

03:07:21 **Vote:** Motion carried 13-5 by roll call vote with Sen. Howard, Sen. Keenan, Sen. Lang, Sen. Olszewski and Sen. C. Smith voting no.

**EXECUTIVE ACTION ON SB 376**

03:08:07 **Motion:** Sen. Moore moved that **SB 376 DO PASS**.

**Discussion:**

03:08:22 Sen. Moore  
03:09:33 Sen. Gauthier



SENATE COMMITTEE ON FINANCE AND CLAIMS

March 29, 2017

PAGE 9 of 10

03:09:49 Sen. McNally

03:10:07 Sen. Keenan

03:10:34 **Vote:** Motion carried 13-5 by roll call vote with Sen. Howard, Sen. Kary, Sen. Olszewski, Sen. Osmundson and Sen. C. Smith voting no.

03:11:22 Chair Jones

03:12:32 Recess

06:31:27 *Note: The afternoon portion of the meeting was cancelled as there was no further business to be conducted.*

**ADJOURNMENT**

Recess: 11:12 AM

---

Prudence Gildroy, Secretary

pg

Additional Documents:

**EXHIBIT**([fcs65aad.pdf](#))